

JOURNAL OF THE HOUSE.

Thursday, June 2, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Harkins of Needham in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mrs. Harkins), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Message from the Governor.

Automobile insurance.

A message from His Excellency the Governor recommending legislation relative to reforming the Commonwealth's automobile insurance system and providing rate relief (House, No. 4128) was filed in the office of the Clerk on Wednesday, June 1.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Financial Services. Sent to the Senate for concurrence.

Statement of Representative Koczera of New Bedford.

Statement of Representative Koczera of New Bedford.

A statement of Mr. Koczera of New Bedford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the sitting of Tuesday last, May 31, due to a previously scheduled personal commitment. Had I been present for the taking of yea and nay numbers 68 and 69, I would have voted, in each instance, in the affirmative. Any roll calls that I missed that day is due entirely to the reason stated.

Resolutions.

Monson Academy.

Holocaust survivors.

Wayne Kendall.

John Morris.

Jeffrey Boudway.

Mark Dufrane.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Rogeness of Longmeadow) commemorating Monson Academy on celebrating its two hundredth anniversary;

Resolutions (filed by Ms. Balser of Newton and other members of the House) to commemorate the sixtieth anniversary liberation for local Holocaust survivors;

Resolutions (filed by Mr. Hall of Westford) congratulating Reverend Wayne Kendall on the occasion of his retirement;

Resolutions (filed by Mr. Hall of Westford) congratulating John Morris on his retirement;

Resolutions (filed by Mr. Kocot of Northampton) congratulating Jeffrey Boudway on the occasion of his retirement;

Resolutions (filed by Mr. Koczera of New Bedford) congratulating Mark Dufrane on receiving the Eagle Scout Award of the Boy Scouts of America;

Resolutions (filed by Mr. Leary of Worcester) congratulating Joseph M. Murphy, Jr. on his retirement;

Resolutions (filed by Representatives Linsky of Natick and Ross of Wrentham) congratulating Dr. Caroline M.C. White on the occasion of her retirement as superintendent of Millis School System;

Resolutions (filed by Mr. Miceli of Wilmington) congratulating St. Dorothy's Roman Catholic Church on the fiftieth anniversary of its founding;

Resolutions (filed by Mr. O'Brien of Kingston) congratulating Harley and Marjorie Cadenhead on nearly sixty years of dedicated service to the town of Kingston;

Resolutions (filed by Messrs. O'Brien of Kingston and Webster of Hanson) congratulating Susan Farrell on the occasion of her retirement from the Halifax Elementary School;

Resolutions (filed by Ms. Peisch of Wellesley) congratulating Christian Milde on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Messrs. Rush of Boston and Coughlin of Dedham) congratulating the Massachusetts School of Professional Psychology on the thirtieth anniversary of its inception;

Resolutions (filed by Mr. Rush of Boston) congratulating Billy Sittig upon his leadership on the Stonehill College baseball team and for achieving recognition as the 2005 Northeast-10 Pitcher of the Year;

Resolutions (filed by Mr. Spellane of Worcester) honoring Cantor Joseph Gottlieb;

Resolutions (filed by Mr. Turkington of Falmouth) congratulating Dr. Peter L. Clark on the occasion of his retirement; and

Resolutions (filed by Mr. Turkington of Falmouth) congratulating Paul Rumul on the occasion of his retirement;

Mrs. Parente of Milford, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. O'Brien of Kingston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Joseph M. Murphy, Jr.

Caroline M.C. White.

St. Dorothy's Church.

Harley and Marjorie Cadenhead.

Susan Farrell.

Christian Milde.

School of Professional Psychology.

Billy Sittig.

Joseph Gottlieb;

Peter L. Clark.

Paul Rumul.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. O'Flaherty of Chelsea, petition (accompanied by bill, House, No. 2120) of Eugene L. O'Flaherty and others (with the approval of the mayor and city council) relative to voting districts in the city of Chelsea. To the committee on Election Laws.

By the same member, petition (accompanied by bill, House, No. 3184) of Eugene L. O'Flaherty and others (with the approval of the mayor and city council) relative to illegal dumping in the city of Chelsea. To the committee on Municipalities and Regional Government.

By the same member, petition (accompanied by bill, House, No. 3185) of Eugene L. O'Flaherty and Kathi-Anne Reinstein (with the approval of the mayor and city council) for legislation to estab-

Chelsea, districts.

Illegal dumping.

Gang recruitment.

lish a penalty for recruiting members of "street gangs", so-called called in the city of Chelsea. To the committee on Public Safety and Homeland Security.

David
San Antonio,
retirement.

By Mr. Broadhurst of Methuen, petition (accompanied by bill, House, No. 3593) of Arthur J. Broadhurst and Steven A. Baddour (with the approval of the mayor and city council) that the city of Methuen be authorized to pay certain retirement benefits to the family of David San Antonio; and

Boxborough,
group
insurance.

By Mr. Eldridge of Acton, petition (accompanied by bill, House, No. 4077) of James B. Eldridge and Pamela P. Resor (by vote of the town) relative to the group insurance program of the town of Boxborough;

Severally to the committee on Public Service.

Lexington,
property
taxes.

By Mr. Kaufman of Lexington, petition (accompanied by bill, House, No. 4091) of Jay R. Kaufman and others (by vote of the town) relative to property taxes in the town of Lexington. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Sex offender
registry.

By Mr. Petrucci of Boston, petition (subject to Joint Rule 12) of Anthony Petrucci (with the approval of the mayor and city council) relative to the funding of the sex offender registry in the city of Boston.

Peabody,
land
conveyance.

By Ms. Spiliotis of Peabody, petition (subject to Joint Rule 12) of Joyce A. Spiliotis and Frederick E. Berry (with the approval of the mayor and city council) for legislation to authorize and direct the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Peabody.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Vocational
education
teachers.

A Bill relative to creditable service for vocational education teachers (Senate, No. 2057) (on Senate bill, No. 1555, changed), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports

Of the committee on Municipalities and Regional Government, asking to be discharged from further consideration

Second-hand
dealers,
licenses.

Of the petition (accompanied by bill, Senate, No. 1185) of Thomas M. McGee for legislation relative to second-hand dealers,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure.

External
defibrillators,
placement.

Of the petition (accompanied by bill, Senate, No. 1184) of Larry Joseph and Steven A. Baddour for legislation relative to the placement of automatic external defibrillators,— and recommending that the same be referred to the committee on Public Health.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2070) of Karen E. Spilka and Paul J.P. Loscocco (by vote of the town) for legislation to authorize certain terms for borrowing by the town of Hopkinton for construction of school buildings to meet growing enrollment. To the committee on Education.

Hopkinton,
school
construction.

Petition (accompanied by bill, Senate, No. 2069) of Stanley C. Rosenberg and Peter V. Kocot (with the approval of the mayor and city council) for legislation relative to civil service positions in the fire department in the city of Northampton. To the committee on Public Service.

Northampton,
civil service
positions.

A petition of Michael W. Morrissey, Ronald Mariano and Joseph R. Driscoll (by vote of the town) for legislation to authorize land use for the purpose of easements for construction and repair of a water main in the town of Holbrook, came from the Senate referred, under suspension of Joint Rule 7B, to the committee on Municipalities and Regional Government.

Holbrook,
easement.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2077) was referred, in concurrence, to the committee on Municipalities and Regional Government.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2078) of Therese Murray for legislation to authorize the Department of Highways to acquire and transfer certain parcels of land in the town of Bourne. To the committee on Bonding, Capital Expenditures and State Assets.

Bourne,
land
transfer.

Petition (accompanied by bill, Senate, No. 2079) of Michael W. Morrissey for legislation relative to the inspection and certification of air tanks on utility high voltage circuit breakers. To the committee on Telecommunications, Utilities and Energy.

Air tanks,
inspection.

Petition (accompanied by bill, Senate, No. 2080) of Michael W. Morrissey for legislation relative to the modification of the helmet law. To the committee on Transportation.

Helmet law,
modification.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Kevin G. Honan relative to the recovery of certain attorney's fees for restriction enforcement; and

Restriction
enforcement,
attorney's
fees.

Petition (accompanied by bill) of Thomas A. Golden, Jr., and others relative to the penalties for enticing a child under the age of sixteen;

Entice,
definition.

Severally to the committee on the Judiciary.

Petition (accompanied by bill) of Timothy J. Toomey, Jr., and others for legislation to require certain residential buildings to be equipped with fire extinguishers. To the committee on Public Safety and Homeland Security.

Residences,
fire
extinguishers.

Under suspension of the rules, on motion of Ms. Balser of Newton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Karen
Campbell,
sick leave
bank.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a personal leave bank for a certain employee of the Department of Social Services (House, No. 3837). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Sullivan of Fall River, the bill was read a second time forthwith; and it was ordered to a third reading.

Thomas
Kellner,
sick leave
bank.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Thomas Kellner, an employee of the Department of Highways (House, No. 3845). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Balser of Newton, the bill was read a second time forthwith; and it was ordered to a third reading.

Mary M.
Putney,
sick leave
bank.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Mary M. Putney, an employee of the Trial Court (House, No. 4062). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Sullivan of Fall River, the bill was read a second time forthwith; and it was ordered to a third reading.

Alexander G.
Gray, Jr.,
sick leave
bank.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Alexander G. Gray, Jr. an employee of the Trial Court (Senate, No. 2054, amended) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

Lopes
Overpass.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the designating of a certain overpass in the city of New Bedford (House, No. 3838) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

Orders of the Day.

House bills

Relative to the issuance of certain bonds by the town of Dracut (House, No. 3231, changed); and Third reading bills.

Authorizing the school department of the city of Chelsea to be open on June 17, 2005 (House, No. 3839) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to the stabilization fund of the town of Leicester (House, No. 3847), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time. Leicester, stabilization fund.

Pending the question on passing the bill to be engrossed, Mr. Binienda of Worcester moved that it be amended by adding at the end thereof the following section:

"SECTION 3. This act shall take effect upon its passage."

The amendment was adopted; and the bill (House, No. 3847, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M. Next sitting.

At twenty-two minutes before twelve o'clock noon, on motion of Mr. Sullivan of Fall River (Mrs. Harkins of Needham being in the Chair) the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.